

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

UNITED STATES OF AMERICA)
)
)
v.) Case No. 3:13-CR-095 JD
)
DONTRELL SMITH)

ORDER

No objections have been filed to the magistrate judge's findings and recommendation upon a plea of guilty issued on September 16, 2013 [DE 25]. The Court notes, however, that the plea agreement [DE 20] incorrectly refers to a violation of 18 U.S.C. § 841(a)(1). Count 2 of the Indictment charges the Defendant with distributing heroin, in violation of 21 U.S.C. § 841(a)(1). The Report and Recommendation correctly identifies the offense as arising under Title 21. Accordingly, the court now ADOPTS those findings and recommendations as modified, ACCEPTS defendant Dontrell Smith's plea of guilty, and FINDS the defendant guilty of Counts 1, 2, and 3 of the Indictment, in violation of 18 U.S.C. §§ 111 and 922(g)(1), and 21 U.S.C. § 841(a)(1).

SO ORDERED.

ENTERED: October 9, 2013

/s/ JON E. DEGUILIO
Judge
United States District Court